

COMBINED WORKGROUP 1 & 2
July 24, 2019
VIRGINIA HOUSING CENTER

VIRGINIA CONSTRUCTION CODE

A105.2.1-18

Proponent: Ronald Clements Jr (clementсро@chesterfield.gov)

Reason Statement: The ability to attract new technical assistance from the construction industry is becoming harder. We now have the High School Technical Training program in Virginia as well as numerous engineering, construction technology and architectural programs that are producing people with the core knowledge and skills necessary to begin a career in code enforcement. This proposal makes it clear that such education is equivalent to the 3 years of construction experience.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

A106.3.1-18

Proponent: DHCD Staff

Reason Statement: This proposal would allow the use of nationally recognized guidelines under the modification or alternative methods and materials Sections of Chapter 1. Guidelines such as CC G5-2019 "Guideline for the Safe Use of ISO Intermodal Shipping Containers Repurposed as Buildings and Building Components", could be useful tools in substantiating a modification an alternative method or material where the code is silent.

Comments:

Ms. Davis gave an overview of proposal

Mr. Grace pointed out that "guidelines" might not be an appropriate term.

Ms. Davis stated that ICC uses that word.

CONSENSUS APPROVED

A109.1.1-18

Proponent: Debra McMahon (debra.mcmahon@fairfaxcounty.gov)

Reason Statement: Under Section 108.3, the Building Official (BO) may accept applications electronically provided the required information is obtained. This needs to go a step further and propose an addition to Section 109 (Construction Documents) to cover electronic plan submissions.

Comments:

Mr. Grace spoke on Debra's behalf

Mr. Witt pointed out that this is not necessary a lot of localities are already doing this and it's meaningless.

Mr. Redifer stated that 108.3 already takes care of this, the construction documents are listed as part of the application

CONSENSUS FOR DISAPPROVAL

A110.5-18

Proponent: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Very few building officials still physically sign a permit. Most jurisdictions print out permits from computer systems and fulfill the signature requirement with a computer affixed electronic copy of the signature. All this requirement does is add one more thing that needs to be configured into the computer system. The signature provides no value.

Comments:

Mr. Clements provided an overview of proposal

CONSENSUS APPROVED

A113.7 (1)-18

Proponent: Michael Redifer (redifermd@nnva.gov)

Reason Statement: In support of uniformity for the most widely-used form of third party inspection. Elevator inspections are unique in that they involve the witnessing of tests which may only be performed by mechanics holding a valid DPOR certification.

Comments:

Mr. Redifer stated that he would like to withdraw this in favor of the commencement.

Mr. Redifer stated that he wants to expand the requirements because some jurisdictions requires a 3rd party inspections on installation and didn't want to limit that to the mechanic certification.

WITHDRAWN

A113.7(2)18

Proponent: Michael Redifer (redifermd@nnva.gov)

Reason Statement: In support of uniformity for the most widely-used form of third party inspection. Elevator inspections are somewhat unique in that they involve the witnessing of tests which may only be performed by mechanics holding a valid DPOR certification. This option is intended to expand and further clarify the original 113.7 proposal for inclusion of the elevator mechanic required certification for operation and testing.

CONSENSUS APPROVED

A113.8-18

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: 113.8- Current code requires a final inspection at completion of a building, not permitted work. Though the definition of building includes "parts thereof," the final inspection should be a requirement of completion of the work for which the permit was issued. Alterations to buildings do not necessitate a new CO or a final inspection to count as a CO. The final inspection should simply document the permitted work is code compliant and complete. Occupancy should drive a CO, which this change accomplishes by referencing to the CO section prior to occupancy or after a change of occupancy. Additionally if a new CO is needed, the final inspection ticket should not serve that purpose. Per Section 116 specific information must be printed on the CO and that information should be updated.

116.1- A certificate of occupancy should not be issued for completion of work; that is the purpose of the final inspection. The certificate of occupancy should be issued for "occupancy" or change of "occupancy." This code change corrects that current glitch with Section 116. Additionally, Section 116.1 does not require approval of the final inspection only completion. A failed inspection is a complete inspection, so this proposal corrects that as well and states that the final inspection must be approved as a condition of CO issuance. Current section 113.8 allows a final inspection ticket to count as the CO for a 100,000 s.f. addition to a school. Additions should require issuance of a new CO. The exceptions to issuance of a CO are retained for single family dwelling accessory structures and additions. There is no need for 5 days to issue a CO.

Comments:

Mr. Clements gave an overview of proposal

Mr. Milliken suggested deleting the word "after" after occupancy.

Mr. Beahm suggested adding "5 working days" back in.

CONSENSUS APPROVED WITH AMENDMENTS:

- **113.8 Prior to occupancy or change of a building or structure, a certificate of occupancy shall be issued in accordance with Section 116.**
- **116.1 Prior to occupancy or change of a building or structure, a certificate of occupancy shall be issued in accordance with Section. The building official shall, however, issue a certificate of occupancy within 5 working days...**

A115.2(1)

Proponent: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Regarding 115.2: Notices of violation should not be used as the first means of notifying individuals that their building or structure is unsafe. Clearly, the intent of the VCC is that a "different" means must be used when declaring something to be unsafe - thus the purpose of Section 118 and 118.4 specifically - where you issue a REPORT in lieu of just a NOTICE. The methods of issuing such notice have been reformatted for easier reading (lists should be considered when multiple methods and commas are used). The portion concerning "not the responsible party" has been relocated to follow immediately behind the notice issuance without being "separated" by the right to appeal. Thus, the entire provision flows better now.

115.3: The added language allows compliance with 115.2 *before* one can initiate legal proceedings. This avoids using a NOV as the notification of legal proceedings, or filing legal proceedings *during* the time period allowed under 115.2.

Comment:

Mr. Payne wanted to withdraw proposal. Thought he did it already

WITHDRAWN

A115.2(2)

Proponent: Michael Redifer (redifermd@nnva.gov)

Reason Statement: The revisions establish responsibility for work as being that of the permit holder in cases where permits are obtained. It relieves local building departments of the requirement to spend ever-decreasing resources on investigations which in some cases find the individuals who actually performed the work are well out of reach prior to any

violations being discovered. It supports long-standing public information efforts by the Department of Professional and Occupational Regulation which discourages the general public from obtaining permits on the advice of the contractors they hire. It also follows the General Assembly's assumption that the permit applicant is responsible for the work by requiring building officials, under threat of criminal conviction, to either verify the applicant is licensed to be responsible for the work or claim exemption for licensing while remaining responsible for the work.

Comments:

Mr. Redifer explained that this proposal failed to get approval from the administrative committee VBCOA because concerns it did not provide for the citing or holding responsible for someone other than the permit holder. Mr. Redifer re worded it and failed to carry it through the cycle.

Mr. Pharr the VA residential landlord tenant act and the Landlord tenant act both say that a lease can confer responsibility for tenants (NOV's), wants to make sure there is no conflict there.

CARRYOVER TO AUGUST

A118.1

Proponent: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: This section creates a second, VCC, version of "unsafe building or structure", which causes confusion with regards to unsafe building or structure in the VMC. This section also provides a group of provisions for vacating a VCC unsafe structure, though these structures have not received a certificate of occupancy. Any building, unsafe or not, that is occupied without a CO is in violation of VCC 116.1 and such unlawful occupancy can be addressed through issuing and NOV for the 116.1 violation. The Section 118 provisions for vacating the incomplete structure are not needed. This code change is an attempt to get rid of the third flavor of unsafe structures that is redundant and confusing so the VCC definition is proposed to be deleted since it is not necessary with the proposed format.

Section 118.1 establishes that a structure, which becomes a threat to public safety during construction, is a violation of the VCC. Proposed 118.1 sets the condition as a violation and does away with the need for another unsafe structure definition.

Section 118.2 addresses the emergency provision in existing section 118.7 and references the VMC provisions in VMC 106.9 so that the same provisions do not need to be copied into VCC section 118. Section 118.3 addresses the initial notification required with use of a correction notice. Section 118.4 addresses issuing an NOV and uses existing VCC Section 115 for that purpose.

Comments:

Mr. Clements gave an overview of proposal

Mr. Milliken suggested that we need to consider that VMC is not adopted everywhere so it needs to stand on its own and not reference back to VMC to take care of the issues. Then once the problem is determined then what? What do we do about the problem itself, what kind of actions can we take to mitigate those options.

Mr. Catlett pointed out that the property maintenance code is not enforced in the jurisdiction if it is referenced in the new construction code then it becomes a reference of the new construction code and becomes applicable.

Mr. Clements explained that having language consistent with another code, it's better to reference it than to have to maintain in two separate places.

Should be tweaked and it is a good proposal.

CARRYOVER TO AUGUST

A119.6

Proponent: David Beahm (dbeahm@warrencountyva.net); VBCOA Admin Committee

Reason Statement: In today's world the use of formal written communication through the postal service to the residence (address) is slow, unverifiable and unreliable at times. The use of electronic communication has taken place of this older method for almost all forms of notices. This change does not remove the option of using the postal service, but provides another means to notify the parties.

Comments:

Mr. Beahm gave overview of proposal

Mr. Pharr mentioned that a written notice should be able to be requested as well so it's the party and not the board calling the shots.

Mr. Beahm pointed out that there is not guarantee that they will receive it by mail either and have been contested in the past that they haven't receive it. An email or electronic means affirms receipt.

Mr. Catlett mentioned that the electronic option will get the appeal faster and can utilize return receipt. If we could come up with language that "unless the party request mail notification" that would be the concept.

Mr. Milliken pointed out that electronic means could be a robo call to a telephone message.

Ms. Mcgreal stated if someone request to have it mailed they should be able to do so. Some people don't read they're email.

CARRYOVER TO AUGUST

B202(2)

Proponent: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This definition was inadvertently deleted in the 2015 VCC and is still shown as being deleted in the 2018 USBC "Base Document." This change proposes to add it back as it read in the 2012 VCC.

Comments:

Mr. Payne gave an overview of proposal

Mr. Witt questioned where would there be an "or authority having jurisdiction" in the state of VA code.

A statement was made that this is an NFPA term and it was in the 2012.

Mr. Witt pointed out that the law says you have to have a building official or utilized someone's building official in the locality with the agreement...not sure why we would have that language at the end.

Mr. Catlett stated that the term is coined by the NFPA and we try to stay away from that language in the past because the building official is the authority having jurisdiction. He further pointed out that the each jurisdiction has to designate a building official.

Mr. Payne pointed out that it is already in the base document.

WITHDRAWN

B302.18

Proponents: Residential Use Subworkgroup (dhcdresidentialuse@gmail.com)

Reason Statement: This proposal is not intended to make any significant changes to the requirements or classifications of SRCFs, but to simplify application of the existing requirements (exceptions) by putting all use group classification requirements for SRCFs together in Chapter 4. This proposal is not completed, but is intended to give an idea of the 18 concept that is being utilized to complete this cleanup effort. The Residential Uses Subworkgroup plans to continue working on this proposal by identifying any other licensed facilities that may also need to be included in the new section and deleting any existing state amendments throughout VCC Chapter 3 that are covered in the new Section 432.

Comments:

Ms. Davis gave an overview of proposal and mentioned that this is the first time that this group has put together and the residential group was able to see and anticipated that it will be carried over but wanted to put it in the agenda. Wanted to list every state regulated care facility.

Mr. Milliken stated that he support the chapter 4 elements but does not agree with the 302.1 adding an item 11 SRCF is not a use group and can be confusing, feels it should be deleted and add back as a note.

Mr. Catlett pointed out the easiest way to do it was to take create own section in chapter 4.

Mr. Milliken pointed out that this is a classified list and will not be approved to adding new items.

Mr. Brown suggested taking out the #11 and just stating "State Regulated Care Facilities (see section 432)".

Mr. Beahm pointed out to add "or more" to 432.2.2 to 17 or more persons.

CARRYOVER TO AUGUST

B310.1

Proponent: Residential Use Subworkgroup

Reason Statement: This proposal is intended to clarify the residential use group classifications by deleting the laundry lists of examples under each group and simplifying the descriptions of each group based on the number of occupants, if the occupants are transient or not, and if the use includes sleeping and/or dwelling units.

Comments:

Greg Revels was not in attendance for explanation of proposal

B310.3 (1)

Proponent: Daniel Willham (Daniel.Willham@fairfaxcounty.gov)

Reason Statement: There appears to be a gap in the code for hotels (transient) that provide dwelling units. As currently written, neither the R-1 nor the R-2 descriptions provide clear direction on the classification of hotels (transient) that provide dwelling units. The commentary clarifies that R-1 occupancies can contain either sleeping units, dwelling units, or both, but the code as written does not explicitly address transient residential occupancies that contain (more than two) dwelling units. The key characteristic of group R-1 occupancies is the transient nature of the occupants and not the absence of dwelling units. This proposal simply adds language for dwelling units that mirrors that used in the description of R-2 non-transient occupancies. With this clarification, the difference between R-1 and R-2 occupancies will be clearly defined to depend only on the transient or non-transient nature of the occupants, respectively.

Comments:

Mr. Willham gave an overview of proposal

Mr. Catlett mentioned that he doesn't think this is necessary because there is nothing prohibiting from having a dwelling unit in R1 already, it's just giving you the characteristic in the sleeping unit and hasn't been a conflict in the past.

Mr. Catlett and Mr. Witt pointed out that this marries the previous proposal and should be discussed with Greg Revels.

Ms. Davis pointed out that this was discussed on the national level because adding dwelling units an Air bnb could be considered a hotel and this could be a mess.

CARRYOVER TO AUGUST

B310.3(2)

Proponents: Daniel Willham (Daniel.Willham@fairfaxcounty.gov)

Reason Statement:

There appears to be a gap in the code for hotels (transient) that provide dwelling units. As currently written, neither the R-1 nor the R-2 descriptions provide clear direction on the classification of hotels (transient) that provide dwelling units. The commentary clarifies that R-1 occupancies can contain either sleeping units, dwelling units, or both, but the code as written does not explicitly address transient residential occupancies that contain (more than two) dwelling units. The key characteristic of group R-1 occupancies is the transient nature of the occupants and not the absence of dwelling units. This proposal simply removes language regarding the type of units, which results in the wording used in pre-2006 code. With this clarification, the difference between R-1 and R-2 occupancies will be clearly defined to depend only on the transient or non-transient nature of the occupants, respectively.

Comments:

Ms. Davis pointed out that the concern is the confusing issues in licensed facilities by various state agencies being all over the place in the code, put them all in one place and try to clean up the general use in the code and then come back with a cleaned up versions. She also pointed out that Mr. Willhams changes are in relation to the definitions of R1 and wants to add more than one dwelling units or strike out "sleeping units" in the definition in R1.

Waiting for Greg Revels to discuss with previous proposal

CARRYOVER TO AUGUST

B310.8.2

Proponents: Residential Use Subworkgroup

Reason Statement: Provides an affordable housing option. Originally brought forward by Arlington County to allow part of existing dwelling units to be occupied by both transient lodgers or long-term renters that desire a degree of independence and privacy from an owner-occupied dwelling.

Comments:

Ms. Davis gave an overview of proposal

Mr. Hines questioned if anyone has discussed issues of ventilation systems, HVAC equipment, and electrical and dwelling unit single meters.

Mr. Davis pointed out by coming up with this definition it eliminates those requirement you will not have to have separate requirements for ventilation systems.

Mr. Catlett mentioned that in Northern VA there are zoning ordinances that would allowed this. The code does not prohibit multiple kitchens, bathrooms etc. The group had a problem with multiple units it's creating R2 and could not occur unless owner occupied.

Ms. Eggerton agrees with this because we allow it, and clarifies that you can do one additional unit and doesn't have to get into the details, feels this is a solution that is already happening.

Mr. Beahm pointed out that this is a zoning issue more than anything else and we can't fix that with the building code.

Mr. Payne suggested to move it to the subworkgroup or nonconsensus.

NONCONSENSUS

B408.2.1

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This section was renumbered from 429 in the 2015 VCC to 431 in the 2018 VCC Base Document. This proposal fixes the reference in 408.2.1.

Comments:

Mr. Payne gave an overview of proposal

Ms. Davis mentioned that is just an editorial change.

EDITORIAL CHANGE

B428

Proponent: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Regarding IBC edits: Rather than begin with the 2015 Virginia amendment and edit it to include relevant 2018 IBC provisions, this proposal starts with the 2018 IBC version and adds the relevant Virginia amendments. Deletions to the IBC and VCC floor construction and exceptions were done to avoid conflicting with the referenced tables.

Comments:

Ms. Davis pointed out that this is under construction and will be carried over

CARRY OVER TO AUGUST

B501.2

Proponent: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: As currently written, requiring such signage for existing buildings is a *retrofit* requirement that is not triggered by any work. Since this is the case, the reference to existing buildings should be in VEBC Chapter 11. The language is identical to that of the IFC, so, it should not be duplicated in either the VCC or VEBC and should have just a "pointer."

Comments:

Mr. Payne gave an overview of proposal and it was discussed at the last workgroup.

Mr. Witt questioned when this is applicable. Some work has to be done before it gets to the building code.

Mr. Payne responded that it's at any time and it's in the retrofit chapter. Does it need a path to get to it?

Ms. Davis pointed out that there is language already in the code.

Mr. Milliken supports what Mr. Payne is doing with this proposal. The application is up to how the jurisdiction wants to do it and he doesn't think that they should wait until the General Assembly to direct us to enforce an address posting requirement.

Mr. Witt disagreed with Mr. Milliken and mentioned that this is a fire official issue and not a building code because of emergency issue and fire response.

Mr. Catlett stated that this is a good place to address it in the existing building code because if they are coming in and don't have an address it's a minor cost to make a fix on and several provisions in the property maintenance code that say that you have the ability to back and require some to get an address on an existing property...it might slightly be considered a retrofit.

Mr. Tomberlin stated that it should be in the existing building code because if they are going out to make an inspection on site and there is no address you can go back and state that an address is needed so if a fire official needs to go out for an emergency there they will have an address.

Mr. Pharr agrees with Mr. Witt if it's in the existing building code it needs to be a triggering event.

Mr. Davis questioned if you only require a retrofit of an address when a permit is applied for. The maintenance code requires that addresses if they are provided or were required be maintained it does not require a retrofit to display an address sign if you never had one, this would. Then she also questioned is there even authority to require it retroactively without General Assembly actions is a question for attorney general's office if you're not seeking a permit.

Mr. Payne pointed out that even if a permit isn't required you still have comply with the code, the code says in 501.2 that existing building has to have an address.

WITHDRAWN

B706.5 (option 1)

Proponent: Ronald Clements Jr, Chesterfield County (clementsro@chesterfield.gov)

Reason Statement: The fire wall horizontal termination provisions are set up with section 706.5 providing the termination methods for firewall terminations where the exterior walls on either side are at an angle of 180 degrees or greater and section 706.5.1 providing the termination methods for fire wall termination where the exterior walls on either side are at an angle less than 180. 706.5.1 is an additional requirement, when the angle is less than 180, to the base requirement in 706.5. This does not work in practice. If a fire wall terminates at the vertex of a 90 degree angle between the two exterior walls.

Section 706.5.2 addresses the firewall termination where the exterior walls on either side are at an angle less than 180 degrees. The first exception was removed because it makes no sense to allow this method when it would not be allowed if the buildings were separated by an inch. If two adjacent buildings are separated and joined by a fire wall and they have exterior walls that are exposed to each other at angles less than 180 degrees they should be treated as separate buildings for exposure purposes just as any two separate buildings would be treated. Current exception 1 gives you a less restrictive method when the building are touching; that makes no sense. The imaginary line exception is now a single requirement. The section was also cleaned up so it is clear how to apply the imaginary line.

Comments:

Mr. Clements gave an overview of proposal. He didn't want to get rid of a lot of the text but cdpVA wasn't cooperating. Mr. Clements submitted this at the national level there was no opposition and the committee had one amendment and turned it down...not sure why.

Option 5 is where the concern is.

Mr. Milliken stated that he needs more time to read through this.

CARRYOVER TO AUGUST

B706.5 (option 2)

Proponent: Ronald Clements Jr, Chesterfield County (clementsro@chesterfield.gov)

Reason Statement: The fire wall horizontal termination provisions are set up with section 706.5 providing the termination methods for firewall terminations where the exterior walls on either side are at an angle of 180 degrees or greater and section 706.5.1 providing the termination methods for fire wall termination where the exterior walls on either side are at an angle less than 180. 706.5.1 is an additional requirement, when the angle is less than 180, to the base requirement in 706.5. This does not work in practice.

Section 706.5.1 addresses the firewall termination where the exterior walls on either side are at an angle equal to or greater than 180 degrees. The requirement for the 18" extension was never in BOCA. The extension was brought into the draft of the IBC from ICBO. Since use of the extension is very rare the various complicated and inconsistent exceptions were provided.

Section 706.5.2 addresses the firewall termination where the exterior walls on either side are at an angle less than 180 degrees. The first exception was removed because it makes no sense to allow this method when it would not be allowed if the buildings were separated by an inch. If two adjacent buildings are separated and joined by a fire wall and they have exterior walls that are exposed to each other at angles less than 180 degrees they should be treated as separate buildings for exposure purposes just as any two separate buildings would be treated.

Comments:

Mr. Clements gave an overview of proposal. He copied out of the 99 BOCA. He prefers option 2 and didn't see any technical data to support the way we were doing it in BOCA was a problem and it makes it a whole lot simpler. If there is reluctance then option 1 clears that up.

Mr. Payne supports this option.

Ms. Kim opposes this because if it catches fire it will quickly spread, how do we address that concern?

It was pointed out that two building on the same lot are separated by 1/16th of an inch there is no requirement to protect the two either building wing wall or to protect the perpendicular walls, the code is already inconsistent and is already recognized that it isn't a big hazard.

Mr. Milliken stated that he needs more time to read through this.

CARRYOVER TO AUGUST**B901.5.1**

Proponents: Andrew Milliken (amilliken@staffordcountyva.gov)

Reason Statement: This new section is identical to language that has been in the International Fire Code for decades. It clarifies and emphasizes that an installing contractor shall furnish completion documentation prior to requesting final approval of fire protection systems. This section was removed from the Virginia Statewide Fire Prevention Code edit and is more appropriately located here in the VCC. These compliance documents are already required by many of the reference standards (NFPA 13, 20, 24, 72, etc.) however this section highlights and consolidates the requirement for code officials and installers.

Comments:

Mr. Milliken gave an overview of proposal.

Mr. Witt has issues with this. It inserts the fire official into the new construction process and it's an administrative provisions and it's not applicable you have to go back to Chapter 1 of the ICC, doesn't feel this is necessary.

Mr. Tomberlin pointed out you don't leave it up to the locality. Either you require it or you don't.

Mr. Catlett pointed out that it's already in the standard and already a requirement.

CARRYOVER TO AUGUST**B905.3.1**

Proponents: Andrew Milliken (amilliken@staffordcountyva.gov)

Reason Statement: This proposal incorporates the current language from the 2018 International Building Code to clarify that any buildings with four or more stories above or below grade plane require a standpipe system. All other exceptions remain unchanged from the current Virginia amendment. This clarification provides consistency for first responders as well as the construction industry to know when buildings are expected to be equipped with a standpipe system.

Comments:

Mr. Milliken gave an overview of proposal.

CONSENSUS APPROVED

B906.1

Proponents: Dwayne Garriss (Dwayne501@comcast.net)

Reason Statement: VA is in the severe minority of states which have added an exception for the removal of portable fire extinguishers in sprinkler buildings. The added language is the actual language from a nationally recognized and adopted consensus standard. A report of the U.S. Consumer Products Safety Commission published in 2009, only 5-10 percent of fires are reported to fire departments in the U.S. According to this 234 page report, people use portable extinguishers on 371,000 residential fires in the U.S. annually. In this same report, the agency stated that extinguishers were effective in 80 percent of the cases where they were used. Extinguishers are the appropriate tool and designed for use on incipient fires. Some of these fires are extinguished using fire extinguishers; others are being extinguished with makeshift means. Since people are, in fact, extinguishing small fires in their incipient stage on a very regular basis, the code should provide for the proper tools to do so - by maintaining the requirements for portable extinguishers. Providing portable fire extinguishers in facilities greatly enhances safety, including the safety of those who choose to extinguish a fire in its incipient phase; extinguishers should be available in all buildings. The entire report can be found at: <https://www.cpsc.gov/PageFiles/105297/UnreportedResidentialFires.pdf>

Comments:

Mr. Garriss gave an overview of proposal.

Mr. Catlett pointed out that they are not properly trained and cause further issues. We've address in the code because you have to put supervision on those. He does not want to see someone put out a fire with a fire extinguisher that isn't trained. He thinks that what we have in Virginia works and it goes along with the national codes. The people need to get out of the building and not stay to try and put a fire out.

Mr. Pharr mentioned that the data is not persuasive here. There are plenty of reason why we don't ask people to put themselves in danger to put out recipient fires. This is what insurance is for and would rather deal with an aftermath of a sprinkler system then a death of an individual. He would like this to be consensus for disapproval.

Mr. Maiatico mentioned that we teach individuals fight or flight and is personal preference to use fire extinguisher. He understands the value of having someone trained. It's not a mandated thing. The fire services stress the use and design of the fire extinguisher which is to extinguish an excipient fire before it develops. The fire services did not say don't use fire extinguishers, it's not an accurate statement. He is in support of this proposal.

Mr. Witt mentioned that he is in opposition of this. The cost is significant not in just installation but the maintenance of them. We professed for years to put sprinkler systems in so that will protect people and get people out of the buildings and thinks the board has seen this several codes cycles that it's not for Virginia.

Mr. Catlett pointed out that it's up to the jurisdiction to fight or flight. They want you to leave the building and not fight the fire.

NONCONSENSUS

B916.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Many localities do not have the funding to provide the communication equipment required to operate in building communication systems. In such localities installation of radiating cable that will not be used makes little sense. Additionally, even if equipment will be provide some time in the future it is not possible to design the system to operate properly without knowing the equipment specifications at the time of building design. Furthermore, the requirement for the locality to provide the equipment puts localities in a position of violating the code when funding is not allocated to purchase the equipment.

Comments:

Mr. Clements gave an overview of proposal.

Mr. Milliken pointed out that the locality doesn't know the building is coming and has concerns when that decision is made and stuck with. But to give an out to individuals ahead of time when the locality doesn't have funding doesn't make sense and this should be deleted all together.

Mr. Catlett mentioned that we have the ability to put a connection on which is very cheap and the cable is important to the equipment but not necessarily installed.

NONCONSENSUS

B1010.1.9.3(1)

Proponents: Natalia Larrimer

Reason Statement: In child care facilities the allowable ratio of staff to children in VA are 5 toddlers/adults, 8 2yo per adult and 10/3yo per adult. The ratios make it almost impossible for the teacher to act immediately if a child accidentally exists the facility. It is expected that the adult responsible will have all the children with him/her and keep them safe as s/he is trying to address the situation.

Comments:

This was discussed by the School Safety subworkgroup and was recommended to disapproval

CONSENSUS FOR DISAPPROVAL

B1010.1.9.3(2)

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: All three hardware changes is to get the VCC to be the same as the IBC.

Comments:

Mr. Payne gave an overview of proposal.

We need to look at the language in chapter 4 (special locking arrangements) and 1010.1.9.7 #6 (clinical staff shall have keys, access to) and #7 (unlocking switch behind the nursing station, if you can't see the switch how are you going to unlock it) and the exception where it talks about the unlocking of the doors shall not apply occupied by persons because of clinical needs, what about dementia and safe and security measures.

CARRYOVER TO AUGUST

B1010.1.9.3(3)

Proponents: Keith Ruby (keith.ruby@fairfaxcounty.gov)

Reason Statement: This type of locking has been used for years at self-storage facilities but is not compliant with any of the locking provisions currently in the code. This code change would make the code more consistent with accepted industry practice.

Comments:

An overview was given about proposal.

Storage units are not occupied and no one is in there.

CONSENSUS FOR DISAPPROVAL

B1010.1.10

Proponents: Daniel Willham (Daniel.Willham@fairfaxcounty.gov)

Reason Statement: Section 1010.1.9.9 of the code recognizes that motion sensors are not reliable when it comes to life-safety since a wall mounted push-button release is required adjacent to the door for use when the motion detector fails to release the door. This is not functionally equivalent to the reliability of listed panic hardware and should not be allowed as a substitute.

Comments:

Mr. Willham gave an overview of proposal

CONSENSUS FOR APPROVAL

B1026.2

Proponents: Jane Kim (jane.kim2@fairfaxcounty.gov)

Reason Statement: The change will clarify and ensure protection is provided for increased number of occupants in refuge compartment at each story served by horizontal exit. Current text of Section 1026.2 is unclear in addressing unprotected floor opening or unclosed exit access stairways and ramps communicating not more than two stories as permitted in Section 712.1.9 item 1 and 1019.3 item 1.

Comments:

Ms. Kim gave an overview of proposal

Mr. Milliken mentioned that the language is unclear, can interrupt as just the floor of the level you have the horizontal exits

Use the same terminology as Section 711 to be consistent.

CONSENSUS FOR APPROVAL WITH AMENDMENTS:

- **Change term "opening in the floor assemblies" to horizontal assemblies" and clean up grammar of changes.**

B1103.2.8

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This proposal is a "blend" of the 2018 IBC and 2015 VCC text. IBC has "or portions or areas" and "primarily" - both seem to be reasonable since there may be only a "portion" of a raised or lowered

area that must be addressed. The term "exclusively" is overly broad since such spaces may be used for other purposes.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

B3002.4

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This proposal tries to get the VCC closer to the IBC in language.

Comments:

Mr. Payne gave an overview of proposal.

CONSENSUS APPROVED

B3007.6

Proponents: Daniel Willham (Daniel.Willham@fairfaxcounty.gov)

Reason Statement: Section 3006.3 is deleted in the Virginia Construction Code. If the exception is to be available for use, it needs to reference a section that actually exists - the same section in the IBC.

Comments:

Mr. Willham gave an overview of proposal.

CONSENSUS APPROVED

B3113

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Virginia addresses "relocatable" buildings in the manufactured housing standards and regulations; thus, they should not be included in the "building" code. "Moved" buildings are addressed in the VEBC.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS TO DELETE

BU101

Proponents: John Catlett (catlettcodeconsulting@gmail.com)

Reason Statement:

These proposals bring in the code provisions approved by the IBC General Committee by a 13 to 1 vote for the main body of the 2021 ICC building code (not an appendix) and subsequent approvals by all other ICC Code Committees that had Group A and Group B code responsibilities related to Tall Wood buildings, also referred to as Mass Timber. Although there were intense efforts by industries that would potentially be negatively affected by approval of these proposals, Tall Wood building provisions gained approval at the ICC Public Comment Hearings held in Richmond during October of 2018 by nearly a unanimous floor vote. These proposals were approved through online voting in cdpAccess by a nearly the same margin.

Comments:

Mr. Catlett gave an overview of proposal. Wants to oppose as an appendix. Jurisdiction can choose to use it. It's a choice for the designer.

Mr. Witt suggested to get the 2021 language that was approved and insert that into the main body of the code.

CARRYOVER TO AUGUST**FP101**

Proponents: John Catlett (catlettcodeconsulting@gmail.com)

Reason Statement: This proposal brings in the companion code provisions that are required for the maintenance of tall wood buildings for continued protection from fire once constructed. A VCC proposal (BU101-18) has been submitted to create an appendix in the 2018 VCC with the 2021 Tall Wood building code package approved by the IBC General Committee by a 13 to 1 vote. It is to be included in the main body of the 2021 ICC building code (not an appendix). Subsequent approvals by all other ICC Code Committees that had Group A and Group B code responsibilities related to Tall Wood buildings, also referred to as Mass Timber. Although there were intense efforts by industries that would potentially be negatively affected by approval of these proposals, Tall Wood building provisions gained approval at the ICC Public Comment Hearings held in Richmond during October of 2018 by nearly a unanimous floor vote. These proposals were approved through online voting in cdpAccess by a nearly the same margin.

Comments:

Mr. Catlett gave an overview of proposal.

This will be carried over with previous proposal for further discussion before meeting.

CARRYOVER TO AUGUST**E402.4**

Proponents: Energy Subworkgroup; Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: This proposal improves the efficiency of commercial buildings by implementing a moderate improvement in fenestration SHGC that was adopted into the 2018 IECC and ASHRAE Standard 90.1-2016. Low SHGC fenestration is important for all buildings, but is particularly important for commercial buildings, which tend to have higher internal loads and higher cooling needs during the peak daylight hours.

Comments:

Mr. Lacey gave an overview of proposal

CONSENSUS APPROVED**E403.2.8**

Proponents: Richard Grace, VPMIA/VBCOA (richard.grace@fairfaxcounty.gov); Energy Subworkgroup

Reason Statement: Clarity note first - delete entire section and Table without substitution (cdpVA editor didn't appear to delete Table contents) this code section conflicts with the minimum life safety requirements outlined in the International Mechanical Code. The minimum exhaust flow rates provided in the IMC are there to capture and contain airborne grease particles produced by cooking operations from specific cooking appliances. These rates, along with many other

significant changes associated with hood design and performance, were incorporated into the IMC (starting with the 2003 IMC) and were the result of extensive testing by a specialized group of experts, many committee members of ASHRAE 154. This IECC section and Table provides for **maximum** exhaust flow rates. These rates are much less than those prescribed by the IMC for nonfactory- built hoods. Factory-built hoods are required to be tested to UL 710. In many cases, the IECC maximum rates are less than those prescribed by UL 710 as well. When the committee disapproved this change, they indicated that “the proposal needs better coordination with the International Mechanical Code. Instead of doing this, the public comment that Steve submitted provided less coordination. Another problem with this proposal was that Steve was attempting to align this requirement up with the language contained in AHSRAE 90.1-10 without bringing forth all other pertinent information contained in 90.1.

Comments:

Mr. Grace gave an overview of proposal

CONSENSUS APPROVED

RE401.2

Proponents: Energy Subworkgroup (dhcdenergy@gmail.com); Eric Lacey, Responsible Energy Codes Alliance (eric@recacodes.com)

Reason Statement: This proposal does two things: First, it updates the reference to U.S. DOE’s REScheck from the 2015 IECC to the 2018 IECC, consistent with the intent to base the Uniform Code on the 2018 IECC; Second, it eliminates a modification to the Uniform Code’s REScheck compliance option that will be unnecessary if Virginia adopts the 2018 IECC with no weakening amendments. When Virginia adopted the 2012 and 2015 editions of the IECC, several weakening amendments were incorporated which caused conflicts between the code and the U.S. Department of Energy’s free compliance software, REScheck. This software was developed to provide homebuilders with a very easy means of using the IECC’s trade-off capabilities, while still maintaining the overall efficiency of the code. It is specifically called out as a compliance option in many states.

Comments:

Mr. Lacey gave an overview of proposal

Ms. Eggerton expressed concerned about the workaround that was created because it hasn’t been updated to match whatever changes happen and Steve Churchin isn’t here to update that workaround. People will just want to use REScheck.

Mr. Milliken mentioned that the next couple of proposal the Energy group would like to discuss the financial impact in other jurisdictions.

Ms. Eggerton pointed out that this section doesn’t have a cost impact. Those that don’t use a computer software would not apply to this. The REScheck option is to be consistent with the 2018 code.

There will be another subworkgroup meeting to discuss

CARRYOVER TO AUGUST

RE401.3

Proponents: Energy Subworkgroup; Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: The purpose of this proposal is to restore the IECC's requirement that a certificate listing key building efficiency information be posted in a permanent location. This requirement has been in the IECC for several editions, and it provides useful information to current and future owners of residential buildings. The information included in the certificate is readily available at construction, and can be recorded on a certificate for no additional cost. In fact, compliance programs such as U.S. DOE's REScheck can automatically generate a certificate with much of this information already recorded. However, this type of information would be difficult or impossible to re-create several years into the building's useful life.

An overview of proposal

CONSENSUS APPROVED

RE402.1.2

Proponents: Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: The purpose of this proposal is to improve energy savings and increase homeowner comfort by adopting the ceiling and wall insulation requirements of the 2018 IECC. Improving ceiling insulation from R-38 to R-49 and wall insulation from R-15 or 13+1 to R-20 or 13+5 will make Virginia's energy code consistent with insulation requirements that have been part of the 2012, 2015, and 2018 IECC.

Discussed with RE401.2 to be carried over

CARRYOVER TO AUGUST

RE402.4.1.2

Proponents: Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: The purpose of this proposal is to restore the 2018 IECC requirement that all new homes be tested for air leakage with an air leakage rate no higher than 3 ACH50. This will also eliminate Virginia's "visual inspection" option, which is not a reliable or safe means of testing the air leakage or air quality of a building. The IECC has required each new home to be objectively tested for air leakage since the 2012 edition. A strong majority of states now require all new homes to be tested to a low level of air leakage, providing both long-term energy savings and an important safety disclosure for homeowners, for a relatively low cost.

Discussed with RE401.2 to be carried over

CARRYOVER TO AUGUST

RE403.3.1

Proponents: Richard Grace (richard.grace@fairfaxcounty.gov); Energy Subworkgroup

Reason Statement: "Supply and return ducts" excludes exhaust ducts. Exhaust ducts must be insulated as well when outside the thermal envelope.

Comments:

Mr. Grace gave an overview of proposal

CONSENSUS APPROVED

RE403.3.5

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: This is a code correlation issue. The problem is that IRC N1103.3.5 (IECC R303.3.5) prohibits all framing cavities from being used as air ducts or plenums in residential construction, but five chapters later in M1601.1.1 #7 the IRC permits cavities to be used as air plenums under five conditions. This is a direct conflict within the IRC. IECC C403.11.2 states that ductwork shall be constructed and erected in accordance with the IMC. So there is no conflict in commercial as the IMC has the same language as the IRC, permitting the use of framing cavities as air ducts or plenums per the same five conditions. So, three out of four code sections permit limited use of framing cavities as air plenums and one does not. This code change proposal eliminates the one out of four that is inconsistent so we can be consistent in Virginia.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

RE503.1.1.1

Proponents: Energy Subworkgroup; Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: This proposal improves efficiency by clarifying that replacement fenestration must meet the same level of efficiency as fenestration used in new construction. This code requirement has been in the IECC for over a decade, and for good reason – about 3/4 of all windows installed in buildings every year are replacement windows in existing buildings. This is a rare opportunity to impact the efficiency of existing buildings – which represent 98-99% of buildings in any given year – by a substantial amount. Code-compliant fenestration is widely available and clearly cost effective, and there is no reason why Virginia homeowners should not have all the benefits of efficient replacement windows and doors.

The 2018 IECC adds a new level of flexibility by allowing replacement fenestration U-factors and SHGCs to be area weighted averaged, permitting trade-offs among various fenestration types. We expect that this will provide more options for builders and homeowners to meet the code requirement.

Comments:

Ms. Davis questioned if this should be a part of the Existing Building Code section

Mr. Lacey pointed out that there is an Existing Building section in the ICC

This is already a level one so it has to comply anyways. It would not apply in replacing residential windows but doing something in a commercial building that would require a permit and your getting a permit for a residential building then it would apply.

CARRYOVER TO AUGUST

VIRGINIA EXISTING BUILDING CODE

EB302.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Section 302.1 is an IEBC retrofit requirement not related to any construction and should be deleted.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB303

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Section 303 is a combination of the 2012 fire escape provisions in prescriptive method section 405 and work area method 805.3.1.2.1. Combining the two methods created a conflict between 2015 sections 303.1.2 and 303.6. 303.1.2 prohibits use of window access and ladders and 303.6 allows their use in limited occupancies. The VBCOA

VEBC committee decided to go with the work area method so the last sentence of 303.1.2 is proposed for deletion and 303.6 was retained. In addition the provisions of section 303.1.3 and 303.1.4 are proposed to be incorporated into sections 303.1 and 303.1.2 eliminating the need for the two separate sections. Lastly the phrase "for existing buildings" is proposed for deletion as it is redundant since the scope of the VEBC is existing buildings.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB304.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: The provision of 304 (and 102.2.2 #5) is overly wordy. The provision provides the same requirement written two different ways depending on if the building is pre or post USBC. There is no need for the distinction since the requirement is the same. All replacement glass must meet current VCC material requirements regardless of when the building was constructed. A specific reference back to VCC Chapter 24 Glass and Glazing (or R308 for VRC dwellings) was added to clarify this is a material and quality requirement. The provision for replacement glass was in the retrofit chapter in the 2012 edition. A code change was submitted to move the provision to chapter 3 since the provision is not retrofit, that is the provision is not a requirement when no related construction is proposed. The requirement only applies when glass is being installed or replaced. The provision was copied into chapter 3 but it still remains in the retrofit chapter. The second part of the code change deletes it from the retrofit chapter as was intended in the 2015 cycle.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB304.3(2)

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Since the VEBC itself does not "require" EEROs, references to the VCC and VRC (Virginia Residential Code) are necessary. Also, since the VEBC is an option for R-5 occupancies, such references to the VRC should be included. Those references came from the 2018 IEBC.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB307.1

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Under the 2012 VRC, reroofing was considered at least a Level 1 alteration (706.2), and as such, Section 707 Energy Conservation would also have applied to all alterations. When reroofing was moved to Chapter 3 of the 2015 VEBC, the connection to the way the existing building code dealt with energy conservation was lost. 2015 VEBC

601.4, Exception was originally intended to address reroofing as well as all alterations. But because reroofing was put in Chapter 3 and as such is not governed by Chapter 6, we need to recapture that original intent.

Comments:

Mr. Payne gave an overview of proposal

Mr. Mang pointed out that a low slope roof has to comply with the code is when thickness is added to it. The energy code needs to be in compliance with this proposal and requirements. The language is broad.

Mr. Witt mentioned that making the roof meet the new code goes against the principles existing building code in VA.

Mr. Payne pointed out that current code requires the means of energy and moving it here broke that code and VA intentions was always to have this exception apply even to roofing.

NONCONSENSUS

EB307.3.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Exceptions should allow something the code section does not permit. The exception to 307.3.1 is essentially an exception to an exception. The reformatting of the exception into section 307.3.1 does not change the requirement it just formats it properly.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB307.8(1)

Proponents: Justin Koscher, Polyisocyanurate Insulation Manufacturers Association (jkoscher@pima.org); Jeff mang (jeff.mang@hoganlovells.com); Eric Lacey (eric@reca-codes.com)

Reason Statement: This proposal clarifies that roof replacements must comply with the energy conservation requirements of the International Energy Conservation Code (IECC). This proposal incorporates the language of Section C503.3.1 of the IECC in order to provide users and code officials with specific information on the requirements for roof replacements. Chapter 5 of the IECC was developed to place the energy code requirements for existing buildings in one convenient location. Virginia adopted this IECC language as part of the 2015 code update process.

Comments:

Mr. Mang gave an overview of proposal

Mr. Payne pointed out that when repairing 49% of the roof to bring it up could come with cutting corners and perimeters. The definition of roof replacement can be repairs.

NONCONSENSUS

EB307.8(2)

Proponents: Justin Koscher, Polyisocyanurate Insulation Manufacturers Association (jkoscher@pima.org); Jeff mang (jeff.mang@hoganlovells.com); Eric Lacey (eric@reca-codes.com)

Reason Statement: This proposal clarifies that roof replacements must comply with the energy conservation requirements of Chapter 13 of the Virginia Construction Code (VCC). The current VCC adopts, with amendments, the International Energy Conservation Code (IECC). The VCC's adoption of the IECC includes adoption of Chapter 5, which describes the energy conservation requirements for building alterations such as roof alterations.

This proposal is necessary because the Virginia Existing Building Code (VEBC) regulates reroofing and roof repair under Section 307. The International Existing Building Code (IEBC) requirements for energy conservation were inadvertently lost when the requirements for reroofing and roof repair were moved to a separate section. This proposal corrects this oversight and clarifies the intent of the VEBC that roof replacements comply with the energy conservation requirements of the Chapter 13 of the VCC (i.e., the IECC as amended by the VCC).

This proposal goes with the previous one

NONCONSENSUS

EB402.1

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This should have been revised for the 2015 VEBC when at the national level, they changed from "aggregate area of the building" to "building area" when describing the levels of alterations. The revised text is consistent with that used in VEBC 601.2.2 and 601.2.3. Interestingly, the 2018 IEBC exceptions still use the "old" text.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB403.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Section 410.7 was the 2012 edition number. The correct number is now 404.3.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB404.4.4

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This is in the "Alterations" section, so references to change of occupancy and additions do not belong. Also, if an elevator or escalator is "added" to an addition, it would need to comply with the VCC anyway. If added as part of a change of occupancy, it is still the "alteration" itself (i.e., adding of walls, cabs, etc.) that would trigger the accessibility requirement, not the actual change of occupancy.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED**EB404.4.10**

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Both the 2018 IBC (Section 2902.1.2) and 2018 IPC (Section 403.1.2) added the new term "single user toilet facility and bathing room fixtures." This change maintains consistency between code books (VEBC and VCC). The intent of this proposal is to clarify the code and coordinate with the terminology in the IPC. Historically, this requirement originally said 'unisex' toilet rooms were permitted but was revised many cycles ago to use the term 'family or assisted use' for consistency. The IPC now requires all single-occupant toilet rooms to be gender neutral. It is arguable if a family or assisted use toilet room is for a single user or not. Family or assisted use toilet rooms can include a urinal and a toilet, or both adult and child fixtures. Most of the time, an accessible family or assisted use and accessible single user toilet rooms are technically exactly the same. The current language has caused questions about if this option in the code is only allowed where family assisted use toilet rooms are required in the IBC (Groups A and M), and/or allowed to meet the fixture counts.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED**EB501.1(1)**

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Scope: The language in the first sentence reflected the 2012 definition of "repair." When the definition of "repair" changed in 2015, this language should have been deleted. Chapters 7 (change of occupancy) and 8 (addition) have no bearing on repairs and should have only referenced Chapter 6 (alterations) which would have been consistent with the old 2012 VRC language that referenced just alterations - and not a change of occupancy or addition.

Exception: This chapter deals with "repairs" not "alterations;" so the alteration language is being proposed to be deleted. The deleted language remains for alterations under VEBC 601.1, Exception 4.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED**EB501.1(2)**

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: The exception to 501.1 allowing use of the code under which the building was constructed was copied from the same exception for alterations. After further review it has been determined that the exception is not needed for repair because the base requirement for repair allows for use of like materials. Section 302.2 allows use of like materials for repairs and there is no general requirement for repairs to comply with current code. Section 501.2 goes further and states performance requirements for repair work. The structural provisions are addressed in section 502.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB601.1(2)

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: The text proposed for deletion can be interpreted to prohibit use of the exception based on substantial structural alteration. This is not needed as the last sentence of the exception still requires new structural elements to meet the current VCC.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB601.2 (Option A)

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Flash back to 2009 - the 2009 VCC 103.5, Item 2 said, "Parts of the building or structure not being reconstructed, altered or repaired shall not be required to comply with the requirements of this code applicable to newly constructed buildings or structures."

That all changed when Virginia went to the 2012 Virginia Rehabilitation Code and 2015 Virginia Existing Building Code - which requires work to be done OUTSIDE of those areas where work is intended through "supplemental requirements" (where the work area exceeds 50% of the floor area) and Level 3 alterations (when the work area exceeds 50% of the building area).

Comments:

Mr. Payne gave an overview of proposal

Mr. Clements mentioned that these are retrofit provisions and even if it's nonconsensus then it would still go in front of the board.

Prefers options B

WITHDRAWN

EB103.10 (Option B)

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: Flash back to 2009 - the 2009 VCC 103.5, Item 2 said, "Parts of the building or structure not being reconstructed, altered or repaired shall not be required to comply with the requirements of this code applicable to newly constructed buildings or structures."

That all changed when Virginia went to the 2012 Virginia Rehabilitation Code and 2015 Virginia Existing Building Code – which requires work to be done OUTSIDE of those areas where work is intended through "supplemental requirements" (where the work area exceeds 50% of the floor area) and Level 3 alterations (when the work area exceeds 50% of the building area) -

that might otherwise be considered RETROFIT requirements.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB601.2.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: The levels of alteration do not address removal of elements without replacement or installation of new elements other than equipment. Removal of materials, elements or fixtures has been added to level 1 and installation of new materials, elements or fixtures has been added to level 2.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

EB601.4

Proponents: Eric Lacey, Responsible Energy Codes Alliance (eric@reca-codes.com)

Reason Statement: The purpose of this proposal is to clarify the applicability of the energy code requirements to existing buildings in the context of an alteration. This will eliminate a conflict between the Virginia Existing Building Code (VEBC) and the Virginia Uniform Code, simplifying compliance and enforcement. It will also reduce energy costs for building owners and improve energy efficiency and resiliency in existing buildings. This proposal makes two key changes. First, it eliminates a Virginia-specific exception to the energy conservation requirements of Chapter 13 of the Virginia Construction Code (VCC) for certain building envelope alterations. This exception can be misinterpreted to cover a broad range of alterations, and conflicts with the energy code's specific efficiency requirements for existing building alterations. Second, the proposal adds references to the IECC's provisions for existing residential (R503) and commercial (C503) building efficiency. It also clarifies that unaltered portions of the building need not comply with the current energy code requirements.

Comments:

Mr. Lacey gave an overview of proposal

Mr. Payne pointed out that he doesn't support the deletion in the exception.

Ms. Eggerton mentioned that the exception contradicts what the details and the other parts of the code. This code is confusing because it doesn't specify whether adding isolation means thickening the wall.

CARRYOVER TO AUGUST

EB603.4.3

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This proposal is similar to EB79-19 and EB112-19 submitted at ICC for the 2021 IEBC. They have not been approved; however, they seem like good code changes worth considering for the 2018 VEBC now. Rather than have a vague reference to "interior finish requirements" why not provide clarity by referencing the actual "Table" in the VCC that addresses the "requirements?" If it truly meant "ratings" (e.g., 1-hour or 2-hour ratings), the reference would have been to VCC Chapters 7 and/or 10. So, "fire performance" is the more appropriate term.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB603.5.2.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: Section 603.5.2.1 and section 603.5.2.2 both limit the requirement to sprinkler based on sprinkler supply pipe being already installed to the work area floor but both sections state it differently. Section 603.5.2.1 states it in a clearer manner so this proposal changes the exception in 603.5.2.2 to match the same language and makes the exception clearer with respect to exactly how it is to be applied. Section 603.5.2.1 is not proposed for any changes but is included to show the existing text used in the amendment to the 603.5.2.2 exception.

Comments:

Mr. Clements gave an overview of proposal

WITHDRAWN

EB603.5.4.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: This section has a confusing reference to the IFC chapter 11, which are retrofit requirements. The reference has been removed so the section is not consistent with section 603.5.2.2 for sprinkler coverage.

Comments:

Mr. Clements gave an overview of proposal

Proposal was withdrawn based on EB603.5.2.1

WITHDRAWN

EB603.6.3.4

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This proposal is similar to EB89-19 submitted at ICC for the 2021 IEBC. It has not been approved, but seemed to be a good code change worth including in the 2018 VEBC.

Comments:

Mr. Payne gave an overview of proposal

Proposal was withdrawn based on EB603.5.2.1

WITHDRAWN

EB802.2

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: A quick read of the existing language could be interpreted a couple of ways: (1) Only infilling or existing openings are allowed (such as for stairways and elevator shafts); or (2) You can infill such shafts and add a stairway, elevator, or any other nonoccupiable "appendage" to the existing building without contributing to the allowable SF per the VCC.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB904.10.1

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: In historic structures, unless the guard(s) itself is being altered, the existing guard(s) should be deemed acceptable. This approach is consistent with allowing other existing elements to remain as is and still be deemed acceptable: 904.3, 904.5, 904.9, and 904.10.2. As currently written, it may be interpreted that one can leave the guards "as is" as long as it involves a *repair*. How would this be interpreted if *alterations* were involved? Since there was no reference to 602.2, we must have meant to remove the existing guards and provide new guards that fully comply with the VCC. I do not believe this is the intent - especially given all of the other components that are allowed to remain - including means of egress, stairway railings, and guard openings.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

EB1401.6.3

Proponents: Kenney Payne (kpayne@moseleyarchitects.com)

Reason Statement: This proposal is similar to EB121-19 submitted at ICC for the 2021 IEBC. It has not been approved; however, it seemed like a good code change worth including in the 2018 VEBC now. Rather than use a footnote approach per EB121, this proposal just added the text to the end of the charging paragraph 1401.6.3. Of those building officials I have spoken with where this issue came up, they allowed interpolation.

Comments:

Mr. Payne gave an overview of proposal

CONSENSUS APPROVED

VIRGINIA MAINTENANCE CODE

PM106

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: The overall intent of this code change is to simplify the unsafe building provisions of the VMC and get rid of the two version of unsafe and unfit and combine them into one definition and process. Unsafe Structure and Structure Unfit for Human Occupancy definitions- The two definitions are a distinction without a difference. Both definitions are defining structures that are "determined by the code official to be dangerous to the Health, safety, and welfare of the occupants of the structure or the public" That is the base definition in both definitions. They are the same. Where they differ is in what constitutes the quoted phrase above in each definition. Why does it matter? Dangerous is dangerous. To correct this both definitions have been combined into the definition of "unsafe structure" and Structure Unfit for Human occupancy has been deleted. The new list in the unsafe structure definition is a combination of both lists from both definitions. With the deletion of the Unfit for Human Occupancy definition, the term has been deleted throughout the code sections.

Comments:

Mr. Clements gave an overview of proposal, received some comments that need to be worked on.

CARRYOVER TO AUGUST

PM106.3

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: These provisions grant authority to the code official to require any level of retrofit to a building that they deem to be dangerous. There is no statute addressing this concept in title 36. The retrofit provisions in chapter 11 of the VEBC are very specific and set out by the legislature. These VMC provisions are not maintenance provisions, they are code official determined retrofit provisions. The fact that 106.3 states "cause other than improper maintenance" as the bases of the code provision should alone be justification to delete this provision from the "Maintenance" code.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

PM302.5

Proponents: Gregory Revels (Greg.Revels@henrico.us)

Reason Statement: The proposed changes are recommended to bring the Virginia Maintenance Code in agreement with the Code of Virginia, Federal Housing standards and Virginia Department of Health regulations. Section 36-99(A) of the Code of Virginia specifically requires that the Virginia Uniform Statewide Building include provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation. Federal housing standards administered by the Department of Housing and Urban Development prohibit insect and rodent infestations in low- and moderate-income housing that is federally subsidized. The Virginia Department of Health further prohibits infestations in hotel and motel properties as a condition of issuing annual lodging permits. The proposed language extends protection from infestations to non-subsidized and short term rental properties on all other rental and long term housing occupancies. The last 2 sentences added at 302.5 are proposed to be consistent with 309.1.

Comments:

Mr. Revels left, this will be carried over.

CARRYOVER TO AUGUST

PM301.18

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: These are a few sections that reference the VCC, which should reference the VEBC with all work on existing buildings addressed in the VEBC. In 304.18 there is not need to reference a code.

Comments:

Mr. Clements gave an overview of proposal

CONSENSUS APPROVED

PM312

Proponents: Andrew Millikens (cyur2b@verizon.net)

Reason Statement: Add to 2018 Virginia Maintenance Code, to start 2021. Older buildings often develop concerns. Code officials lack resources to inspect most. Private inspections often when building sold, financed, or new insurance. Rental residences focus on life safety of people (families, maybe self-escape challenged) with little control over conditions. Buildings over 50 years old starts with those built before statewide building codes based on modern national codes. Requiring again inspect every 40 years helps record later conditions. Inspector need quickly report serious hazards to AHJ, which may get copy of report if ask.

Comments:

Mr. Mr. Millikens gave an overview of proposal

Mr. Pharr pointed out that the code of VA wouldn't allow this to be done 36-105.1.1, authorizes localities to adopt a real inspections program only after meeting a number of criteria and making a number of specific findings and they have to designate specific real inspection districts. It's a statutory obstacle to do this.

CONSENSUS FOR DISAPPROVAL

PM603.7

Proponents: Teresa Gerber, Chesterfield County (gerbert@chesterfield.gov); Ronald Clements Jr. (clementsro@chesterfield.gov)

Reason Statement: This adds the ability to address fuel oil and propane tanks, including the delivery system from the tank to the equipment or appliance.

Comments:

Ms. Gerber gave an overview of proposal

Mr. O'Connor pointed out that these issues are cover largely in the Fire Code NFPA 58.

NONCONSENSUS

PM604.3.1.1

Proponents: Haywood Kines (hkines@pwcgov.org)

Reason Statement: The protective components are critical to the electrical systems to maintain safe operation of all electrical equipment. Their ability to protect the electrical system is adversely affected by exposure to water and to the minerals, contaminants that may be present in the water. Equipment such as molded case circuit breakers, switches, Busway, signaling and communication systems can be subject to corrosion and damaged from exposure to these conditions.

Comments:

Mr. Kines gave an overview of proposal

Ms. Davis pointed out that this was just added during the last cycle.

Mr. Pharr stated that he is opposed to deletion in the prohibiting the licensure or certified electrician to make the determination or make the appropriate contacts to find out what they need to.

Mr. Catlett pointed out that the best way to handle this is to put it under the 3rd party inspection requirement because it's mandated by the code to have those.

Mr. Beahm questioned what the 3rd party is in this proposal.

NONCONSENSUS

PM702.1

Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

Reason Statement: This section has a reference to the IFC that is vague and incorrect in Virginia, and reads like a new construction provision or retrofit provision. This proposal corrects the section so it is a maintenance provision.

Comments:

Mr. Clements gave an overview of proposal

Mr. Milliken pointed out this is changing the intent of the inspection.

The violation is of the maintenance code.

CARRYOVER TO AUGUST

VIRGINIA STATEWIDE FIRE PREVENTION CODE

FP105

Proponents: Joe Boisseau

Reason Statement: This is a holdover from the BOCA and is now 25 years or more old. Does this still apply with several new versions of the ICC and moving into 2018 codes?

Comments:

No one to speak on it

CONSENSUS FOR DISAPPROVAL

FP202(1)

Proponents: Andrew Milliken (amilliken@staffordcountyva.gov)

Reason Statement: The definition of corrosive is a complicated criterion that is often difficult to confirm during field inspections or document review. This proposal does not change or remove the current definition but rather adds physical property criteria as defined by the United States Environmental Protection Agency in 40 CFR 261.22 (<https://www.govinfo.gov/content/pkg/CFR-2018-title40-vol28/pdf/CFR-2018-title40-vol28-sec261-22.pdf>). Using this physical characteristic point of reference will enhance building owner/operators as well as code enforcers understanding of this definition and help to focus compliance questions on the hazards rather than a complicated definition.

Comments:

Mr. Milliken gave an overview of proposal

CONSENSUS APPROVED WITH AMENDMENTS

- Add "or" , reads: " or a substance"
- Correlate the definition corrosive with the construction code

FP202 (2)

Proponents: Charles Walker, TNT Fireworks

Reason Statement: VIRGINIA ACTS OF ASSEMBLY -- 2019 SESSION - SB 1625 was signed into law on March 21, 2019 with an effective date of 7/1/2019. It was an an Act to amend and reenact § 27-95 of the Code of Virginia, relating to the Statewide Fire Prevention Code; definition of permissible fireworks. This proposed change is to update the definition of "Permissible Fireworks" in the SFPC to make it consistent with current Code of Virginia statutes.

Comments:

It's an act of the General Assembly

CONSENSUS APPROVED

FP605.13

Proponents: Andrew Millikens (cyur2b@verizon.net)

Reason Statement: For 2018 VSFPC, to begin 2021. Seek apply to electrical systems over 50 volts, type fire & shock risk; not low voltage typical of alarm, communication, etc.. A building might be much older, yet electrical system not over 50 years old, so phrase to focus on electrical system's age. Over 50 years includes aluminum wiring (1966 - '74), older systems increase risk from improper tampering, and deterioration of insulation, connections, components more complex than basic wiring. Inspection should include examining inside circuit panels, sample outlets & switches, grounding, etc... If grounding was not required when installed, opportunity to discuss. Not need break holes in walls nor elaborate testing.

Separate proposals for building maintenance and fire codes effort to get in both codes, yet if one fails, maybe other progress enough for support with changes.

Some insurance companies require various inspections before new policy. Many buyers want see inspection report before closing. Codes require maintenance, so this helps require inspect to learn if electrical system need maintenance. FEMA, NFPA, etc. data shows electrical problems high in causes of fires, fire fatalities at night; mostly in older residential buildings.

Comments:

The same thing as the fire inspection

CONSENSUS FOR DISAPPROVAL

FP903.5.1

Proponents: Joe Boisseau

Reason Statement: These code changes only clarify that those conducting inspection be certified by an approving agency. I have had the very issue come up a few times in my career. There are people doing inspection of systems because they are certified as a fire inspector or have been doing the work for a few years. They find issues that need correction and then tell the business to hire another company to fix it, costly the business more money.

Comments:

Mr. Pharr stated that he opposes it because it is vague and doesn't see how it's address the problem that's alleged in the reason statement.

Mr. Clements pointed out that this is a regulation of DPOR not building code. This is beyond inspection and is now maintenance.

Mr. Milliken pointed out that this is something that needs to be addressed.

CARRYOVER TO AUGUST

FP907.9

Proponents: Andrew Millikens (cyur2b@verizon.net)

Reason Statement: To comply with 2018 General Assembly bill HB 609 & SB 391. Here in fire code easy for officials and customers to reference. Intent to require smoke detectors in rental residences not yet so protected, plus carbon monoxide detectors where appropriate. Bills include "a reasonable accommodation must be made for persons who are deaf or hearing impaired, upon request" so also incorporates requiring such features as need.

Comments:

This is already in state law (tenant landlord law)

Mr. Pharr pointed out that it doesn't really precisely track the statutory language

CARRYOVER TO AUGUST/ BRING BACK WITH STATE LAW

FP907.10

Proponents: Andrew Millikens (cyur2b@verizon.net)

Reason Statement: Help comply with Virginia code 35-99.5, from which most wording copied. Having here in fire code easier for fire official and customer to reference instead of searching to find elsewhere in state code.

Comments:

Mr. Mr. Millikens wants to withdraw

WITHDRAWN

FP1031.2.1

Proponents: Richard Witt (wittr@chesterfield.gov)

Reason Statement: Security devices that affect the means of egress require a building permit per VUSBC Section 108.1 and approval by the Building Official, not the Fire Official. The Fire Official is required to notify the Building Official if such devices are discovered upon inspection.

Comments:

Mr. Witt has left, will carryover.

CARRYOVER TO AUGUST

VIRGINIA AMUSEMENT DEVICE REGULATIONS

AD30

Proponents: ADTAC Committee

Reason Statement: During the 2019 legislative session Senator Adam Ebbin submitted Senate bill SB1229, which directed the BHCD to consider regulating trampoline courts under the Virginia Amusement Device Regulations. The bill did not make it to the Governor's desk but his bill did raise the issue and initiate a conversation about the safety of commercial trampoline courts. Senator Ebbin submitted the bill in response to what he learned of the risks and injuries associated with trampoline courts based on a severe injury suffered by one of his constituents. The amusement device regulations do not currently have specific provisions to address trampoline courts. ASTM has developed and published the standard F2970 – 17:

Standard Practice for Design, Manufacture, Installation, Operation, Maintenance, Inspection and Major Modification of Trampoline Courts. The F2970-17 standard is referenced in this code change and it is part of the amusement device package of standards bundled by ASTM. Trampoline court injuries are becoming more prevalent and the focus of recent national news stories. It is time for inclusion of trampoline courts into the amusement device regulations. The proposed definitions of "Institutional trampoline" and "Trampoline court" are from the ASTM F2970-17 standard.

Comments:

Mr. Gentilini gave an overview of proposal. This was brought forward by the General Assembly.

CONSENSUS APPROVED

AD40

Proponents: ADTAC Committee

Reason Statement: ASTM F2461 covers the manufacture, construction, operations and maintenance of aquatic play equipment and provides safety performance standards for various types of public aquatic play components and aquatic play composite structures. The Amusement Device Technical Advisory Committee, at their April 26th meeting, recommended that the ASTM F2461 standard be incorporated in the VADR.

Comments:

Mr. Gentilini gave an overview of proposal.

CONSENSUS APPROVED

AD75

Proponents: ADTAC Committee (dhcdadtac@gmail.com); Michael Redifer (redifermd@nnva.gov)

Reason Statement: Generally, this involves editing to clarify requirements but also it establishes the submission of location, operator, event duration, device details and proof of insurance three-day in advance of operation. As currently written, the operator is required to notify the local building department at least three days prior to operation but places no such advance submission of the details and insurance which must be provided but can be before or after the fact.

Comments:

Mr. Gentilini gave an overview of proposal.

CONSENSUS APPROVED

VIRGINIA INDUSTRIALIZED BUILDING CODE

IB20

Proponents: DHCD Staff (sbco@dhcd.virginia.gov)

Reason Statement: Ensure that a path exists for approval of intermodal freight containers as building components in industrialized buildings.

Comments:

Ms. Davis gave an overview of proposal

CONSENSUS APPROVED

VIRGINIA MANUFACTURED HOUSING SAFETY REGULATIONS

MH60

Proponents: DHCD Staff (sbco@dhcd.virginia.gov)

Reason Statement: This will ensure the installation is in compliance with federal installation standards.

Comments:

Ms. Davis gave an overview of proposal

CONSENSUS APPROVED